

## Current situation on the spread of highly pathogenic avian influenza (Annex)

(15/01) On 12 April, the Friedrich-Loeffler-Institute (FLI) published an updated risk assessment on highly pathogenic avian influenza (HPAI), which we have attached to this circular. According to this assessment, HPAI cases were only detected in wild birds in Germany in March. The FLI has therefore downgraded the avian influenza risk for German domestic poultry holdings to "moderate". In the previous month, the risk of HPAI H5 being introduced through direct or indirect contact with wild birds was still rated as "high". The reason for the risk downgrade is that although cases of the disease in wild birds are currently spread throughout Germany, they are only sporadic. The risk of the virus spreading between flocks within the EU and also within Germany has also been downgraded. Such secondary outbreaks are assessed as a "low" risk for April; in the previous month, the risk was still considered "moderate".

In **Europe** the number of HPAI outbreaks in domestic poultry in Europe fell sharply in March. Bulgaria (n=2), Poland (n=2), Sweden and Romania (n=1 each) reported outbreaks. Various sectors of poultry production were affected; in Bulgaria laying hens and waterfowl; in Poland fattening turkeys; in Sweden a pheasant farm with over 200 pheasants and in Romania and the Czech Republic one non-commercial small flock each. The number of cases in wild birds in Europe also fell sharply in March, with a total of 54 reports. In addition to Germany, a total of 11 European countries reported sporadic cases in wild birds, with waterfowl and birds of prey being the most frequently affected bird groups

**Worldwide** outbreaks in domestic poultry and wild bird cases caused by HPAI were detected in March, particularly in Asia and North America, and reported to the World Organisation for Animal Health (WOAH).

**Africa:** The veterinary authorities in Burkina Faso have reported an outbreak of HPAI (H5N1) in domestic poultry in the capital Ouagadougou.

**Southeast Asia:** Several HPAIV H5N1 outbreaks in domestic poultry and cases in wild birds have been detected in Vietnam, Japan, the Philippines and Taiwan.

**Antarctic region:** HPAI was detected in skuas, Antarctic cormorants and Adélie penguins in March. On South Georgia, the first HPAIV findings were discovered in five dead king penguins and five dead gentoo penguins. So far, however, no increased mortality has been detected in king penguin colonies. However, during a research expedition in March to assess the HPAI situation in the Antarctic, a high number of dead skuas and Adélie penguins were observed.

**South America:** Brazil reported HPAI (H5N1) cases in terns. There were also reports of HPAI in skuas and gentoo penguins from the Falkland Islands.

**North America:** In North America (USA), several outbreaks in poultry and cases in wild birds were reported in March: One outbreak in domestic poultry in South Dakota, 7 outbreaks in kept poultry (private farms) in 7 other US states. The distribution and increasing number of virus detections in wild birds found dead, but also in some healthy ducklings, indicates a worryingly widespread active virus circulation.

On 18 April 2024, the European Commission published Implementing Decision (EU) 2024/1184 in the EU Official Journal L concerning emergency measures in relation to outbreaks of highly pathogenic avian influenza in certain Member States following the recent HPAI outbreaks in **Bulgaria** (in the Haskovo und Kardzhali regions). The annex to the decision (EU) 2024/1184 contains the updated territorial outlines of the protection and surveillance zones as well as the provisional duration of the protective measures.

Implementing Decision (EU) 2024/1184, which has now been published, amends Implementing Decision (EU) 2023/2447 accordingly. Implementing Decision (EU) 2024/1184 is available at the following link:

[http://data.europa.eu/eli/dec\\_impl/2024/1184/oj](http://data.europa.eu/eli/dec_impl/2024/1184/oj)

### **Amendment to the lists of third countries for imports of poultry commodities from Canada and the United States**

(15/02) Annexes V and XIV to Implementing Regulation (EU) 2021/404 as regards the entries for Canada and the United States in the lists of third countries authorised for the entry into the Union of consignments of poultry, germinal products of poultry, and fresh meat and meat products from poultry and game birds has been amended again in relation to highly pathogenic avian influenza (HPAI). The corresponding Implementing Regulation (EU) 2024/1086 has been published in the Official Journal L on 12 April 2024.

The **United States** have notified the Commission of two outbreaks of HPAI in poultry in the states of Michigan and Texas, which were confirmed on 3 April and 2 April 2024.

With the implementing regulation that has now been published, the EU Commission has suspended the entry into the Union of consignments of poultry, germinal products of poultry, and fresh meat of poultry and game birds from that area mentioned in the United States.

Moreover, **Canada** has submitted updated information on the epidemiological situation in relation to three outbreaks of HPAI in a poultry establishment in the provinces of British Columbia, (2) and Quebec (1), which were confirmed between 4 November 2023 and 9 February 2024.

Furthermore, the **United States** have submitted updated information on the epidemiological situation in relation to 14 outbreaks of HPAI in the states of Arkansas (2), California (3), Florida (1), Michigan (2), Minnesota (2), Missouri (1), South Dakota (1), Washington (1) and Wisconsin (1), which were confirmed between 27 October 2023 and 8 February 2024.

The Commission has evaluated the information submitted by Canada and the United States. The Commission considers that Canada and the United States have provided appropriate guarantees that the animal health situation that gave rise to the suspensions, no longer represents a threat to animal or public health within the Union, and that, consequently, the entry into the Union of poultry commodities from the concerned zones of Canada and the United States from which entry into the Union had been suspended, should be reauthorised.

Annexes V and XIV to Implementing Regulation (EU) 2021/404 were amended accordingly to take account of the current epidemiological situation as regards HPAI in Canada and the United States. Implementing Regulation (EU) 2024/1086 entered into force on 13 April 2024 and is available at the following link: [http://data.europa.eu/eli/reg\\_impl/2024/1086/oj](http://data.europa.eu/eli/reg_impl/2024/1086/oj)

### **Current situation on African swine fever**

(15/03) On 17 April, Implementing Regulation (EU) 2024/1171 laying down specific control measures for African swine fever (ASF) and amending Annexes I and II to Implementing Regulation (EU) 2023/594 was published in the Official Journal L. Previously, there had been new outbreaks of ASF in wild porcine animals in **Greece, Italy and Poland**.

Implementing Regulation (EU) 2024/1171 is available at the following link: [http://data.europa.eu/eli/reg\\_impl/2024/1171/oj](http://data.europa.eu/eli/reg_impl/2024/1171/oj)

### **Two-factor authentication for logging in to TRACES NT**

(15/04) From 11 June 2024, two-factor authentication will be required to log in to TRACES NT. According to information from the Federal Ministry of Agriculture (BMEL), the easiest way to do this is to enter a mobile phone number that can be used to receive a text message. To set this up, it is necessary to log in at <https://webgate.ec.europa.eu/cas> with a known username and password for the EU account. Then follow the instructions.

The EU Commission provides information in this context via the following helpful video:

<https://audiovisual.ec.europa.eu/en/video/I-231618>.

For further questions, information is available on the EU website at the following link:

Für weitere Fragen stehen Informationen auf der EU-Webseite unter folgendem Link zur Verfügung:

<https://webgate.ec.europa.eu/cas/help.html>.

### **No new rules for labelling meat substitutes in France for the time being**

(15/07) There will be no new rules for the labelling of meat substitutes in France for the time being. The highest administrative court, the Council of State, decided on 10 April to suspend the implementation of the corresponding legal act. Essentially, the use of names commonly used for animal products is to be restricted for vegan products. Several companies had taken legal action against this and have now been proved right. According to the judge in charge, there are serious doubts about the legality of the requirements. According to the Council of State, compatibility with European law is questionable and the justified interests of the complainants would be violated. The companies are threatened with a considerable drop in turnover and additional costs. In addition, foreign competitors would continue to be allowed to use the designations in question. The new regulations were issued at the end of February and were due to come into force on 1 May.

The latest decision by the Council of State means that the government's second attempt to ban names such as fillet, steak, schnitzel or ham for products made with plant-based proteins has also failed for the time being. Paris had already issued very similar regulations in 2022, which were then stopped in the course of an accelerated proceeding. As part of this legal dispute, the administrative judges had submitted a request for a preliminary ruling to the European Court of Justice (ECJ) in 2023. One of the issues to be decided there is whether and to what extent a member state can stipulate for foodstuffs that names usually reserved for animal products may no longer be used above a certain plant protein content. However, Paris did not want to wait for the judgement from Luxembourg. Displeasure in the agricultural sector may also have played a role in this. The Council of State has now ensured that the legal basis under European law is clarified first.

### **EU Industrial Emissions Directive in the bag**

(15/08) After a long debate, the Council in Brussels has agreed to an amended EU Industrial Emissions Directive (IED). On 12 April, the member states voted in favour of stricter rules for larger poultry and pig farmers. The legal text will now be published in the EU Official Journal shortly, and the directive will enter into force 20 days later. The EU countries then have up to 22 months to transpose the provisions of the directive into their national law. As reported, the trilogue agreement with the Commission and the EU Parliament was already concluded in November.

For poultry farming, the amended IED provides for a threshold of 300 livestock units (LU) for laying hens and 280 LU for broilers. For pig farming, the threshold value is 350 LU. For mixed farms with pig and poultry farming, 380 LU are envisaged. Exceptions apply to extensive farming methods and organic farming. However, the new rules will not apply to farmers until 2030 at the earliest. Then, the new emissions targets will be introduced gradually. In addition, the Commission must assess by 2026 how best to limit emissions from cattle farming and agricultural products placed on the EU market.

#### **Annex:**

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